

FINAL



WEARE BOARD OF SELECTMEN
MEETING MINUTES
May 15, 2006

PRESENT: LEON METHOT, CHAIRMAN; HELEEN KURK, VICE CHAIRMAN; DONNA M. OSBORNE, SELECTMAN; JOSEPH M. FIALA, SELECTMAN; TOM CLOW, SELECTMAN

TOWN ADMINISTRATOR:

RECORDING SECRETARY: Cherry Palmisano

GUESTS: Evelyn Connor, Tina Pelletier, Carl Knapp, Jessica Petrain, Laura Buono, Frank Campana, David Hewey, Wayne Whitford

Chairman Methot moved, Vice Chairman Kurk seconded to enter into nonpublic session pursuant to the authority granted in RSA 91-A:3II(c). A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk – yes; Chairman Methot – yes. Passed 5-0-0.

In attendance: Chairman Methot, Vice Chairman Kurk, Selectman Clow, Selectman Osborne, Selectman Fiala, Evelyn Connor

Chairman Methot moved, Vice Chairman Kurk moved seconded to come out of nonpublic session. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk – yes; Chairman Methot – yes. Passed 5-0-0.

Chairman Methot moved, Vice Chairman Kurk seconded to seal and restrict the nonpublic session. A roll call vote was taken. Selectman Clow - yes; Selectman Osborne - yes; Selectman Fiala - yes; Vice Chairman Kurk – yes; Chairman Methot - yes. Passed 5-0-0.

6:00 p.m. Chairman Methot called the meeting to order.

1. TAX DEEDING – Ms. Tina Pelletier informed the Board residents owing taxes have made payments or made payment arrangements. Ms. Pelletier said there were 10 arrangements made totaling \$12,000 in arrangements for 2003. Ms. Pelletier needs signatures from the Board. Vice Chairman Kurk asked Ms. Pelletier what they could do as a town for the citizens who are passed due. Ms. Pelletier said they send notices and said residents need to know payments can be made at anytime in any amount throughout the year. Ms. Pelletier said before she even prints the tax bills she emails all bills to the mortgage companies. Discussed signatures needed for the audit.

2. PUBLIC PARTICIPATION – Mr. David Hewey asked the Board what they plan on doing with the generator in the backroom of the old fire station and told the Board Mr. Leon Taylor would really like the generator. The Board had discussed holding onto the generator for possible future use in the Town Office Building. Vice Chairman Kurk said if it does not work in the Town Office it was discussed possibly using it in the Old Town Hall. Chairman Methot said at this time they have no intention of junking it and they plan on

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holding onto it to see if it will serve the town. If for any reason the generator cannot be used for the town then the Board will discuss other options.

3. DEPARTMENT HEADS – Ms. Evelyn Connor reminded the public dog licenses are due and as of June 1, 2006 you will be fined \$25.00 if your dog is not licensed.

Changing Hats: Ms. Connor said the Patriotic Celebration will take place on July 14, 15, and 16. The parade will be Saturday at 10:00 a.m. and they are looking for floats. The theme of this years event is “anything goes.” Sunday is “little tikes” day at 1:00 Wayne From Maine will be performing. The fireworks will be shot off from Brownies Sand and Gravel pit. Ms. Connor said they are looking for ideas and volunteer help from anyone in town. They need help putting things together, traffic control and getting the parade in order. Vice Chairman Kurk said there was discussion about CERT providing traffic control. Ms. Connor said there will be a small group of the Army band playing in the gazebo, and a DJ during the fireworks. Ms. Connor said there will be Churches, Police Department and Boy Scouts setting up.

4. MANIFESTS

Chairman Methot moved, Vice Chairman Kurk seconded, to authorize the Board of Selectmen to sign Manifest and order the Treasurer to sign checks dated May 18, 2006. Passed 5-0-0.

Accounts payable	\$321,030.67
Gross Payrolls	<u>\$31,674.13</u>
Total	\$352,704.80

5. MEETING MINUTES –

Chairman Methot moved, Selectman Fiala seconded to accept the minutes of March 6, 2006 as amended. Passed 4-0-1. Selectman Clow abstained.

Chairman Methot moved, Vice Chairman Kurk seconded to accept the minutes of March 20, 2006 as amended. Passed 5-0-0.

Chairman Methot moved, Vice Chairman Kurk seconded to accept the minutes of April 3, 2006 as amended. Passed 4-0-1. Selectman Osborne abstained.

Vice Chairman Kurk moved, Selectman Clow seconded to accept the minutes from May 1, 2006 as amended. Passed 4-0-1. Chairman Methot abstained.

Mr. Carl Knapp informed the Board the town is in better shape than a lot of communities. Mr. Knapp said parts of Mt. Dearborn Road are closed, Peacock Hill will be closed for awhile, and Old Francetown Road will be closed for quite some time. Mr. Knapp said Lull Road and Twin Bridge Road are down to one lane. Mr. Knapp said parts of Duck Pond and most of Peaslee Hill will stay closed for quite some time and Newman Wilson is also closed. Mr. Knapp informed the Board the big costs will come when we have to repair these roads permanently not just the temporary repairs, which will be worked on for the next 2 weeks. Mr. Knapp said a section of River Road will need to be cut out and replaced. Vice Chairman Kurk said she received a call from Senator Bob Flanders requesting a letter be sent to him ASAP along with receipts and overtime expenses so he can submit the documentation for needed funds. It was discussed Senator Flanders is requesting estimations of what the cost will be to repair from the storm. The police, fire and emergency management will all need to be calculated and submitted as well. Chairman Methot said everything should be handled through Paul King because he is the Emergency Management Director.

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Mr. Knapp estimates at least \$200,000 worth of damage in road repairs. Vice Chairman Kurk asked if Mr. Knapp takes care of the state highways, he said no. Mr. Knapp informed the Board he has already submitted requests to the state for monies to repair certain roads but they are not approved for replacement until 2009.

Mr. Knapp informed the Board he really needs a grader and discussed renting a grader which will cost \$480 a day plus delivery fee. Mr. Knapp received an estimate today of \$8,300 to repair the grader. Vice Chairman Kurk asked how long it will take to repair the grader. Mr. Knapp said it will take at least a month. They discussed the repairs needed on the dozer and the transmission, head gasket and oil pan repairs needed on the 1 ton truck totaling \$2,500. Mr. Knapp said the grader could cost more and they will not know until it is apart. Mr. Knapp said if he can rent the grader he will need it for Wednesday and have it for at least 3 days. Vice Chairman Kurk said the roads need to be repaired. Chairman Methot said he has no issue with Mr. Knapp renting the grader and they will use road reconstruction funds for now. The Board approved the rental of the grader. Mr. Knapp said he is going to contact SEA to have them check out the bridges on Lull Road and Old Francetown Road.

6. GRAVEL SAND TRADE – Mr. Knapp informed the Board the contractor at the WMS site would like to trade screened sand with the town for hard fill. Mr. Knapp said at this time they have no screened sand but have plenty of resources for hard fill and would like to make this trade with the contractor. Mr. Chris Bolton said if that contractor is willing to do this then it is a win situation for the town. The Board agreed to make the trade.

Chairman Methot discussed the old generator with Mr. Knapp, who said it is already down at the highway department in a safe dry location. Mr. Knapp informed the Board the new town well is all hooked up.

The Board asked Mr. Knapp to extend thanks to his department for all their extra help. Mr. Knapp said the community and local businesses have been very supportive.

7. DISCUSSION OF LIABILITY INSURANCE WITH PRIMEX – Mr. Wayne Whitford, a Primex Consultant, discussed the town's liabilities and usage of town facilities. Mr. Whitford informed the Board the policy covers premises like parks, beaches, etc. Mr. Whitford said if there was a liability claim against the town there is a cap of \$100,000 per person and \$500,000 per occurrence there are exceptions to the cap, i.e. if there was a usage fee for the facility then there would be no cap on the liability amount. The town has a limit of \$2 million for each claim.

Mr. Whitford said organizations using town facilities would not be protected and not covered under the town's policy. Vice Chairman Kurk asked if the town is covered if there is green space and someone gets hurt by falling in a ditch. Mr. Whitford said if the town was previously informed of the ditch and did nothing to repair it and if they were found negligent then they are liable. Vice Chairman Kurk said if a non profit group is using that green space she does not understand why they need liability coverage. Primex policy says other organizations need to have the liability. It was discussed if there was an amusement and someone gets hurt the town is not at fault the amusement company is.

Selectman Fiala asked Mr. Whitford if we charge user fees for the space how does it change the coverage. Mr. Whitford said if takes the \$100,000 per person and \$500,000 per occurrence off and the claim can be much larger. It was discussed organizations using town property such as Boy Scouts, Little League, and Church groups do have their own insurance. Primex does offer special event coverage for the day of the event to organizations that do not have insurance. Chairman Methot asked about how much this would cost. Mr. Whitford says the premium would depend on the type of event. It was discussed the 4th of July committee is incorporated so, therefore, the individuals that make up the committee cannot be held personally liable. Ms.

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Connor asked Mr. Whitford if the carnival people have insurance, and then names the town as well, are they covered. Mr. Whitford said it would definitely cover the carnival. It was discussed if the carnival does not have control of the land and if other organizations are mixed in with the carnivals space then the carnivals insurance does not cover incidents because they do not have control of the land. Mr. Whitford said the committee needs to make sure anyone in the parade with a vehicle needs to have insurance. The Board mentioned the fireworks are a town event because it gets voted on through the town. Chairman Methot informed the 4th of July Committee the worst case scenario for insurance would cost them \$872. Chairman Methot asked if the 4th of July committee could get coverage. Mr. Whitford said they could purchase coverage through the town.

If there was an injury by someone using the town facility and they did not have coverage – then the town will still have to pay defending costs. For the Boards consideration Primex would recommend establishing a risk policy for town buildings or fields being used. Primex recommends a written agreement through the organizations on who is liable. In summary the town's property is protected under the RSA through Primex. Non profit groups using town property do need coverage or special event insurance.

Chairman Methot asked what about vendors and contractors who do work on town property do they need to have insurance. Mr. Whitford said they do need to have coverage. Vice Chairman Kurk said some of the coverage is at the discretion of the Board. Vice Chairman Kurk said most of the entertainment in town is done by non profits and she wants to make sure whatever the Board decides does not hinder these groups from serving the town in the way in which they do. Vice Chairman Kurk asked what if the 4th of July Committee was to be a town committee rather than non profit. Mr. Whitford said changing them from non profit to a Committee would affect how they are able to accept donations or hold fundraisers. Laura Buono said she would not like to see the 4th of July Committee become a town committee. Chairman Methot said this particular committee is better off the way they are. Mr. Whitford said there are various ways to fund the cost for the organization and said it is better off as a separate organization. Vice Chairman Kurk said she is concerned about what will happen to some of the organizations and their events.

Mrs. Buono questioned the cost of the police coverage for the 4th of July event and is concerned with the cost. Mrs. Buono wants to make sure of what they need to pay for from their budget.

Mr. Whitford informed the Board Primex has made many recommendations regarding Chase Park and they have never received a response. It was discussed it is better for the town not to charge a fee to individuals given private lessons for a fee because then it would fall out of the RSA.

8. DISCUSSION OF LAWN CARE THAT IS NOT PART OF 2006-2008 – Mr. Bruce Richards, Sr. would like to discuss some work with the Board which was not on the lawn care contract. Mr. Richards said there are 11 mulched beds at the Safety Complex which need to be edged, weeded, cleaned up and bark mulched, this would cost \$657. Chairman Methot said the Police and Fire would have to divide the cost if they have the funds in their budget. Chairman Methot said he will speak with Chief Begin and see if their Association will pay for it. Selectman Fiala asked Mr. Richards how much the bark mulch would cost and how much was labor cost. Mr. Richards said the mulch would cost approximately \$90.00 and the rest of the cost is labor. Chairman Methot said they will discuss this further and get back to Mr. Richards. Mr. Richards asked about the boundaries around the gazebo. Chairman Methot said from the construction fence that is there now over to East Road is town property. Mr. Richards spoke about Ineson field and stated he knows the field needs to be mowed and he will take care of it and does not appreciate any ill feelings being thrown his way. Selectman Fiala said that is the opinion of one individual and not the town. The Board told Mr. Richards what a wonderful job he has been doing and how much they appreciate his efforts. Vice Chairman Kurk suggested if someone has a complaint

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they need to come directly to the Board. Mr. Richards said as soon as the ground is dry enough he will maintain the field.

Vice Chairman Kurk said they have received a Hazardous Mitigation Plan and the Board needs to comment on the plan and stated the Health Officer is not on the plan.

Vice Chairman Kurk said she has looked for an ordinance regarding signs of town property and has not been able to locate one. Vice Chairman Kurk said the garden club was concerned with not being allowed to put up their signs.

Selectman Fiala mentioned email from Woodland regarding the intersection. Chairman Methot said he has been trying to get in touch with them. Vice Chairman Kurk said she called DOT and said they look 10 years out on a proposed plan and even though you have a plan then they will consider other options. Selectman Fiala commented on being stuck with the plan brought forth by Woodland. Selectman Clow feels Woodland will be holding up the driveway permits until the intersection is finalized. Chairman Methot said he will contact Woodland. Selectman Fiala said they need to get Woodlands cooperation in the design of the intersection. Selectman Fiala would like to change the plan brought forth by Woodland Design. The Board discussed they want to keep the blinking light and the crosswalk.

The Board discussed there is a coffee hour scheduled for the evening of Tuesday, May 30, 2006 but they will need to reschedule the coffee hour because there is a Selectman's meeting scheduled that evening. It was discussed the Selectman will hold a coffee hour on Tuesday, May 30, 2006 at 9:00 a.m.

Selectman Osborne asked Selectman Fiala about the skateboard park. Selectman Fiala said there will be a meeting on Tuesday, May 23, 2006 at 7:00 p.m. at CWES, to discuss the short term set up of the skateboard park. Selectman Fiala encourages people to bring ideas on where to set up the skateboard park.

Selectman Clow informed the Board they received notice from PARC on hiring personnel for Chase Park.

Selectman Clow moved, Selectman Fiala seconded to hire James Thomas at \$8.50/hr, Justin Robichaud at \$7.25/hr, Mike Eldridge at \$7.75/hr, Emily Peterson at \$7.00/hr, Morgan Belanger at \$7.00/hr, Ryan Hannon at \$7.00/hr, Emily Sweeney at \$7.00/hr, Nick Campono at \$7.00/hr, Heath O'Neil at \$7.00/hr, for Chase Park. Passed 5-0-0.

Selectman Clow reminded the Board of the meeting on May 22, 2006 at 6:00 p.m. for the space needs of the Library. Vice Chairman Kurk said they need to set up a plan for the town office building as well. It will need to be posted if more than 3 Selectmen plan on attending.

Selectman Clow said he is concerned with the public hearing coming up on May 30, 2006 regarding the unexpected funds from Comcast and he said they know what their recommendation is going to be so why can't they inform Mr. Knapp so he can begin his needed repairs.

The Board discussed the Highway Department's need for a 1 ton truck. The current truck is in need of repairs and makes sense not to put a lot of money into it because realistically it does not have much life left. Vice Chairman Kurk said they need to discuss this with the CIP committee.

It was discussed Mr. Knapp will talk with the Trustees of the Trust Funds to see if they will allow him to expend some of the funds to purchase a new 1 ton truck.

Chairman Methot moved, Vice Chairman Kurk seconded to authorize the Road Agent to repair the inoperable grader but not to exceed \$10,000. Passed 5-0-0.

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Selectman Clow asked the Board other than the equipment repairs for the Highway Department is there anything else the Board is going to recommend using the unexpected funds from Comcast towards. Selectman Clow said if it is not on the table at the public hearing then the funds will go into the General Fund.

Mr. Chris Bolton informed the Board he was here on behalf of Mt. Williams. Mr. Bolton reminded the Board he is held strictly to the operation hours of 7-5 and is asking the Board if he can have an extension of ½ hour before sunrise and ½ hour after sunset for at least a full week. Mr. Bolton said he has no problem with sticking to the hours of trucking but needs more time to crush stone. Mr. Bolton needs these extended hours to help get surrounding communities the much needed erosion stone they need.

Chairman Methot moved, Selectman Osborne seconded to authorize the extension of hours for a period of no more than 4 weeks to 6:00 a.m. to 8:00 p.m. for the purpose of providing crushed stone to municipalities and the state for road repair as a result of the storm. Passed 5-0-0.

Selectman Fiala asked the Board how they would feel about starting the meetings at 5:00 p.m. The Board all agreed starting June 5, 2006 the BOS meetings will start at 5:00 p.m.

Chairman Methot moved, Selectman Osborne seconded to adjourn at 8:40 p.m. Passed 5-0-0.

9. ADJOURNMENT

A True Record.

Cherry Palmisano, Recording Secretary